

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ZELTIQ AESTHETICS, INC.,

Plaintiff,

v.

LUXURY LASER CENTER, LLC;
JACQUELINE O'SHAUGHNESSY;
HILLARY O'SHAUGHNESSY; JANNELLE
O'SHAUGHNESSY; and SIDNI
O'SHAUGHNESSY,

Defendants.

Case No. 2:15-cv-01298-APG-CWH

**ORDER (1) GRANTING IN PART AND
DENYING IN PART MOTIONS TO
QUASH AND DISMISS AND (2)
STRIKING ANSWER**

(DKT. #15, #17)

Defendant Jacqueline O'Shaughnessy, in proper person, moves to quash service and dismiss the complaint on behalf of herself and the other defendants: Luxury Laser Center, LLC, Jannelle O'Shaughnessy, Hillary O'Shaughnessy, and Sidni O'Shaughnessy. (Dkt. #15, #17.) Plaintiff Zeltiq Aesthetics, Inc. did not respond. I therefore grant the unopposed motion to quash and to **dismiss as to defendant Jacqueline O'Shaughnessy only**. LR 7-2(d).

In addition, defendant Jacqueline O'Shaughnessy filed an Answer on behalf of herself and all of the other defendants. (Dkt. #13.) Because Luxury LaserCenter, LLC is a limited liability company, it cannot appear on its own behalf and must be represented by counsel in this action. *In re America W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994) ("Corporations and other unincorporated associations must appear in court through an attorney."). Because Jacqueline O'Shaughnessy is not a lawyer, she may not appear in federal court for or on behalf of Luxury Laser Center, LLC. Nor may she appear on behalf of the other individual defendants because a pro se litigant has no authority to appear in a representative capacity for anyone but herself. *See Simon v. Hartford Life, Inc.*, 546 F.3d 661, 664 (9th Cir. 2008) ("It is well established that the privilege to represent oneself pro se provided by [28 U.S.C.] § 1654 is personal to the litigant and

1 does not extend to other parties or entities.”). Thus, I strike the answer (Dkt. #13) and deny the
2 motions to quash and dismiss as to the defendants other than Jacqueline O’Shaughnessy.

3 IT IS THEREFORE ORDERED that the motion to quash (**Dkt. #15**) and **motion to**
4 **dismiss (Dkt. #17) are GRANTED in part and DENIED in part.** The motions are **granted as**
5 **to defendant Jacqueline O’Shaughnessy only.** The motions are denied as to all other
6 defendants.

7 IT IS FURTHER ORDERED that the answer (**Dkt. #13**) is **STRICKEN**.

8 IT IS FURTHER ORDERED that the clerk of court shall update the address of Jacqueline
9 O’Shaughnessy to the one listed on her latest filings: 4116 Mantle Ave, North Las Vegas, NV
10 89084.

11 DATED this 9th day of October, 2015.

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14 ANDREW P. GORDON
15 UNITED STATES DISTRICT JUDGE
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